

REMARKS

Reconsideration of the application is requested.

Claims 16-33 remain in the application. Claims 16-33 are subject to examination. Claims 16 and 25 have been amended.

An RCE has been filed concurrently with this amendment.

Under the heading "Claim Rejections – 35 USC § 102" on page 3 of the above-identified Office Action, claims 25, 27-29, 32-33 have been rejected as being fully anticipated by U.S. Patent No. 4,004,426 to Laing under 35 U.S.C. § 102.

Claim 25 has been amended to specify that the substantially annular gas chamber is part of the rotor. Support for the change can be found by referring to the translated specification at page 6, lines 31-34 and Fig. 1, for example, which shows the rotor 13 constructed with the gas chambers 17a-17d.

On page 2 of the Office action, the Examiner stated that the annular chamber (as previously defined by claim 25) could be equated with the inner chamber inside the overall housing 6 of Laing. The Examiner pointed out that this inner chamber of the housing 6 contains the rotating heater 1 and condenser 3.

Applicant points out that Laing teaches a housing 6 that is a non-rotating part and that is not part of the rotor (See Fig. 1 and column 3, lines 23-26).

In contrast to the invention as now defined by claim 25, Laing does not teach a rotor that includes a substantially annular gas chamber divided, in a radial direction, into a plurality of ring-cylindrical partial chambers. Laing also does not teach a heat exchanger, which is disposed inside the rotor, and which is surrounded by the annular gas chamber of the rotor.

The invention as now defined by claim 25 is not anticipated by Laing.

Under the heading "Claim Rejections – 35 USC § 103" on page 4 of the above-identified Office Action, claims 16-24 have been rejected as being obvious over U.S. Patent No. 4,004,426 to Laing in view of U.S. Patent No. 3,956,899 to Kronogard under 35 U.S.C. § 103.

Claim 16 has been amended to specify that the rotor includes at least one substantially annular gas chamber surrounding the second heat exchanger. Support for the change can be found by referring to the translated specification at page 6, lines 31-34 and Fig. 1, for example, which shows the rotor 13 constructed with the gas chambers 17a-17d.

Claim 16 defines a step of guiding the working medium through a second heat

exchanger disposed inside a rapidly rotating rotor, and specifies that this rotor includes at least one substantially annular gas chamber surrounding the second heat exchanger.

As already discussed above, Laing teaches a housing 6 that is a non-rotating part and that is not part of the rotor (See Fig. 1 and column 3, lines 23-26).

The step of claim 16, which has been copied above, is not shown in Laing, and the invention as defined by claim 16 is not anticipated.

Under the heading "Claim Rejections – 35 USC § 103" on page 4 of the above-identified Office Action, claim 26 has been rejected as being obvious over U.S. Patent No. 4,004,426 to Laing in view of U.S. Patent No. 4,781,241 to Misage under 35 U.S.C. § 103.

Even if it would have been obvious to combine the cited references, the invention as defined by claim 26 would not have been obtained for the reasons specified above with regard to claim 25.

Under the heading "Claim Rejections – 35 USC § 103" on page 5 of the above-identified Office Action, claim 30 has been rejected as being obvious over U.S. Patent No. 4,004,426 to Laing in view of German Patent Application No. DE 38 07 783 A1 under 35 U.S.C. § 103.

Even if it would have been obvious to combine the cited references, the invention as defined by claim 30 would not have been obtained for the reasons specified above with regard to claim 25.

Under the heading "Claim Rejections – 35 USC § 103" on page 5 of the above-identified Office Action, claim 31 has been rejected as being obvious over U.S. Patent No. 4,004,426 to Laing in view of U.S. Patent No. 6,491,14 to Severinsson under 35 U.S.C. § 103.

Even if it would have been obvious to combine the cited references, the invention as defined by claim 26 would not have been obtained for the reasons specified above with regard to claim 25.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 16 or 25. Claims 16 and 25 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 16 or 25.

In view of the foregoing, reconsideration and allowance of claims 16-33 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$65.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Werner H. Stemer/
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MPW:cgm

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